IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JIMMY IRVIN WRIGHT,

Civ. No. 1:14-ev-2350

Plaintiff

 \mathbf{v}_{\bullet}

Magistrate Judge Gohn

CAROLYN W. COLVIN, COMMISSIONER OF SOCIAL SECURITY,

Judge Rambo

Defendant

ORDER

FEB 4 2016

PER HARRISBURG, PA DEPUTY CLERK

Before the court is a report and recommendation filed by Magistrate

Judge Cohn in the captioned action. (Doc. 15.) The action is one seeking review of
a decision of the Commissioner of Social Security denying Plaintiff's application
for disability insurance benefits under the Social Security Act. Magistrate Judge

Cohn recommends that the court vacate the decision of the Commissioner pursuant
to 42 U.S.C. § 405(g) and remand the case for further proceedings. No objections
have been filed to the report and recommendation.

This court has reviewed the very thorough and extensive report filed by Magistrate Judge Cohn and adopts the report and recommendation.

IT IS THEREFORE ORDERED as follows:

- 1) The report and recommendation (Doc. 15) is **ADOPTED**.
- 2) The decision of the Commissioner of Social Security denying Plaintiff's benefits under the Act is vacated and the case remanded to the

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Commissioner of Social Security to develop the record fully, conduct a new

administrative hearing and appropriately evaluate the evidence. The

Commissioner is required to identify substantial non-medical or medical

opinion evidence to refute Dr. Garrison's opinion, because the ALJ's lay

interpretation of medical evidence is insufficient to reject Dr. Garrison's

opinion.

3) On remand, the ALJ shall not use Dr. Potera's opinion nor her own lay

interpretation of the medical evidence to reject Dr. Garrison's or Dr.

Menio's opinions.

4) On remand, the ALJ shall obtain accurate vocational evidence to support any

conclusion that Plaintiff can perform sedentary skilled past relevant work.

5) The clerk of court shall close this file.

SYL∜IA H. RAMBO

United States District Judge

Dated: February 4, 2016

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